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(MARIANI, J.)
(SAPORITO, M.J.)

JOSEPH F. SAPORITO, JR.
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD KATZ
Plaintiff

v.

NATIONAL BOARD OF MEDICAL
EXAMINERS

and

FEDERATION OF STATE MEDICAL BOARDS
Defendants_____

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CIVIL ACTION

NO. 3:15-cv-01187

**(MARIANI, J.)
(SAPORITO, M.J.)**

**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF A MOTION FILED PURSUANT
TO LOCAL RULE 7.8(b)(3) TO FILE AN OPPOSITION BRIEF EXCEEDING 15 PAGES AND
5,000 WORDS**

Pro Se plaintiff Richard Katz, respectfully requests that the Court grant leave to file a brief in support of a motion for opposition of summary judgment that exceeds the 15-page and 5,000 word limits set forth in Local Rule 7.8(b).

On April 27, 2016 the defendants National Board of Medical Examiners (NBME) and Federation of State Medical Boards (FSMB) submitted a request PURSUANT TO LOCAL RULE 7.8(b)(3) TO FILE A BRIEF EXCEEDING 15 PAGES AND 5,000 WORDS for a motion of summary judgment under a premise that “defendants’ motion addresses multiple legal theories and other legal and factual issues raised by the pro se plaintiff.”

Plaintiffs' motion to oppose the extended brief was submitted to the Court on April 27, 2016 stating that the defendants had not shown good cause to justify a need for excess pages based on the aforementioned premise. Plaintiff stated the following reasons for his opposition:

1. The defendants request would unduly burden plaintiff as well as the Court.
2. Plaintiff also argued that he would be prejudiced by having to respond to a 30- page brief with a 15-page reply
3. Plaintiff stated that the parties should be presenting a distilled, succinct presentation of the facts and law necessary for the Court to reach a decision in this case.
4. Temporally, post- discovery an effort should be made by both parties to narrow the issues in dispute before the Court, and not open the door for more confusion and debate.

On April 28, 2016 the Court granted the defendants motion PURSUANT TO LOCAL RULE 7.8(b)(3) TO FILE A BRIEF EXCEEDING 15 PAGES AND 5,000 WORDS allowing the defendants 15 more pages for a total of 30 pages. This currently leaves plaintiff at a disadvantage to oppose an extended over length 30 page brief in 15 pages.

The length of the brief is required because defendants' have submitted a motion for summary judgment that is 30 pages long and due to the rigorous analysis on the part of plaintiff the scale will need to be balanced between the defendants submission for summary judgment and plaintiff's opposition to summary judgement. Therefore, both sides should have equal number of pages (30) to state their claims.

Conclusion:

For the aforementioned reasons, plaintiff, Richard Katz respectfully requests that the Court authorize the filing of an extended opposition brief totaling 30 pages in response to defendants' 30 page motion for summary judgment pursuant to Local Rule 7.8(b)(3).



Richard Katz

pro se

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CERTIFICATE OF SERVICE

I certify that the above motion of plaintiff Richard Katz pursuant to Local Rule 7.8(b)(3) to file a brief that exceeds the page and word limits of the local rules is being filed electronically with the Clerk of the Court on May 6, 2016 using the electronic case filing system, which will automatically send email notifications of such filing to registered parties as stated below:

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